

TERMS OF THE CONSTITUTION
JOURNAL, 25¢ per year; 25¢ six
months; 12 1/2¢ three months; 5¢ per year in
advance.
THE DAILY CONSTITUTION, published on Tuesday,
one year, \$5 50; six months, \$1 10. Payable in
advance.

EDITORIALS.—Look at the printed label on
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subscription expires. Forward the money for
next year to the office.

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each; Marriage and Funeral Notices, 50 cents

each; Births, Deaths, Injuries, 25 cents

each; Births and Deaths, 25 cents each.

COMMUNICATIONS.—Should be accompanied by
the true name and address of the writer, in
order to receive prompt reply. Separate manu-

scripts will not be returned.

CONSTITUTION, Atlanta, Ga.

The Greenville Vindicator pleasant-

ly remarked that "the Milledgeville

Union and Recorder has an unpleasant

habit of raking up disagreeable facts.

Its latest exploit in this line is to call

attention to the fact that there is an

unpaid mortgage of sixty thousand

dollars still clinging the Atlanta opera's

house." The Vindicator appears to be

vindictive. The "exploit" alluded to

should be credited to THE CONSTITUTION.

The mortgage is for about eighty thou-

sand dollars, and will be paid by AT-

LANTA. The opponents of a convention

might as well print things correctly as

they go along.

It has been suggested that Everts is

the party who is contributing Stanley's

African letters to the New York Her-

ald. This is more than we can submit to.

Geographically and rhetorically the

Stanley letters are somewhat unsatisfactory, but they do not approach

Everts in this respect. There is no

schoolboy on earth who cannot distin-

guish between Stanley and Everts. Everts might discover the sources of the Nile geographically, but his ac-

count of the matter would still leave it

in obscurity.

We have received the second num-

ber of The Acanthus, the little monthly

edited by Miss Annie Maria Barnes of

this city. The freshness and purity of

the contents of The Acanthus command

it to both old and young, and make it

one of the most delightful publications

of the kind in the country. Parents

who desire that their children shall

have wholesome reading matter should

subscribe to "Cousin Annie's" little

paper.

The stirring lyric, entitled "Hampton," which is going the rounds of the papers, and which we published a few days ago as coming from the Washington Capital, was written in 1868 by Mr. Asa R. Watson, the city editor of the Macon Telegraph, and was at that time entitled "Gordon." The poem has been preserved by some enthusiastic collector who has now an opportunity to give it off his own. We make haste to credit it to Mr. Watson due credit for his brilliant verses.

Mr. E. P. SPEER has purchased the interest of Colonel J. D. Alexander in that sprightly little daily, the Griffin News, and will hereafter be the sole editor and proprietor. Colonel Alex- ander will take charge of the job office recently attached to the News. Mr. Speer is an exceedingly lively and picturesque writer, and will make the News as spicy and as readable as it has been heretofore.

Governor HAMPTON had an enthu-

sastic reception at Columbia yesterday. More than fifteen thousand people turned out to greet him, and his address upon the occasion was received with the most enthusiastic applause. The band of the eighteenth United States infantry furnished the music.

The citizens of New Orleans held a mass meeting yesterday. The preamble and resolutions will be found in our telegraphic columns.

The Medical Association of Georgia will meet in Macon on the 18th inst.

Military Display.

Mr. McCormick's store is now the attraction for Atlanta. Last Sunday was the first day of great trading, and the stores are already filled up, and the crowds are arranged in an artistic way. Show cases filled with beautiful flowers, racks covered with spring hats trimmed with delicate shaded ribbons and flowers, boxes of lace and fact everything kept in a first class military store. Mr. McCormick's store undoubtedly has to please the ladies of Atlanta. Give her a call.

Wade Hampton's Appearance.

Washington Star.

Governor HAMPTON is a fine speci-

men of physical mind, standing

full six feet high in the clear, barring

boot heels. His form is wily, but

well knit and compact. His comple-

xion is swarthy, tinged with enough of

the roseate hue to indicate a good liver

but he does not appear to do in

debt to his stomach. His movements

are quick, and his manners are graceful. His eyes are a deep brown, almost black, and they sparkle with a good deal of animation. They are expressive eyes, of the kind which reflect the inner feelings. His hair is black, though he is getting grey at the temples, and are making and receding. He wears side whiskers and a mustache, the latter ending where the former begins, something after the style of General Burnside, though the whiskers do not stand out so prominently as do those of the Young's. His hair is black, though he is getting grey at the temples, and are making and receding. He wears side whiskers and a mustache, the latter ending where the former begins, something after the style of General Burnside, though the whiskers do not stand out so prominently as do those of the Young's. His hair is black, though he is getting grey at the temples, and are making and receding. 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The Atlanta Daily Constitution
SATURDAY MORNING, APRIL 7, 1877.

A GEORGIA "YARDSTICK" CASE

Under this heading the Perry Home Journal of a recent date prints some facts in regard to perhaps the oldest law suit on the dockets of the Georgia courts, being the case of Hughes v. Walton, administrator, vs. Mrs. Seaborn C. Bryan. These facts are furnished by Judge Killen. It seems that in 1847, Joseph Nunez, of Burke county, who was a free person of color, died intestate, leaving his wife, Patience, and five children, said wife and children being also his slaves, and in his possession at the time of his death. They were then taken possession of by A. M. Urquhart, (pronounced Evert), under a deed of gift, purporting to have been made by Nunez, shortly before his death, who sold them Mr. Seaborn C. Bryan of Houston county. Hughes Walton administered on the estate of Nunez in Burke, and brought an action of trover against Bryan to the April term 1851, of Houston superior court. At the April term 1853, judgment was rendered for the plaintiff, which was reversed by the supreme court on writ of error, and a new trial granted.—14 Georgia Reports, 185.

At the April term 1856, the case came on again for trial, which resulted as before. A judgment for the plaintiff. This judgment was also reversed by the supreme court—20 Ga. 480. Again at the April term 1859, another trial was had, and the plaintiff obtained judgment in the alternative for the value of the property, \$6,200, to be discharged by delivering up the property. Patience and her children, in thirty days, and \$3,820 "for hire." From that judgment an appeal was taken to the supreme court, but the writ of error was dismissed, and the judgment of the court below stood affirmed.—30 Ga. 834.

The defendant then filed a bill in equity for a new trial and to review the case, which bill was dismissed on demurrer; and to the judgment of dismissal a writ of error was taken to the supreme court, but the judgment was affirmed.—Sup. 33 Ga. 11. An execution was then issued, which remained inactive until June 1873, when a return nulla bona was made by the sheriff of Houston county. In July 1873, the sheriff of Macon county levied the execution on certain property in Macon county. Defendant then filed an affidavit of illegality. Hughes Walton was removed from the administration of the estate of Nunez on account of the insufficiency of his bond, and Joseph A. Shewmake, of Burke county, appointed in his place, and in 1874 defendant Bryan died, and Now T. Johnson of Bibb, and Wm. Bryan of Terrell county, qualified as his executors. Johnson and Wm. Bryan were made defendants on *circa fatus*—and the motion to make Shewmake plaintiff in place of Walton was rejected by them.

Previous to the death of Seaborn C. Bryan a garnishment was served on Hardin T. Johnson of Bibb county, as president of the Planters warehouse company, who answered that said company was indebted to Bryan in the sum of \$3,800 or \$4,000, and judgment was rendered against him for that amount. Defendants then filed a bill in equity proceedings under said executions in Bibb superior court, alleging that Seaborn C. Bryan left a widow and grand children dependent on his estate for support; that the executions were not valid, being for a slave debt; that the administration on the estate of a free negro was unauthorized by law, and that the children of Nunez and his wife, Patience, were entitled to his estate by descent, and that they could not recover for their own conversion. To this bill Shewmake demurred, which demur was overruled by Judge Hill, and the injunction granted.

The case again went to the supreme court and the judgment reversed on the ground that the bill should have been brought in Houston and not in Bibb county. The case was then dismissed and a new bill filed to the May term 1877 of Houston superior court praying for the injunction as before. Judge Killen drafted a demur and an answer to this bill on Wednesday of last week. On the 20th of March the counsel for both parties met in Macon to argue the demur, but a compromise was agreed upon, and the old case, so far as the original parties are concerned, is at an end, having been pending for twenty-six years, and having been to the supreme court five times.

WIELDING A BOOMERANG.

The LaGrange Reporter, one of the ablest and most influential papers in Georgia, sustains THE CONSTITUTION in the position it has taken in respect to the unnecessary agitation of certain issues calculated to divide the people when they come to vote upon the convention question. The Reporter says: "The Ma on Telegraph and other papers of less prominence are unwisely furnishing ammunition to the enemies of the constitutional convention. The defeat of the convention, if it is defeated, will be largely due to the indiscretion of its friends. As an earnest advocate of the convention, we most deeply regret that some of its friends have not exercised more caution in its advocacy."

HAYES has sent still another commission southward—a commission consisting of Gordon C. Hubbard, David M. Fox and George A. Bassett to investigate the compensation to be paid to railroad companies for carrying the mails. Everything relating to the south seems to be considered material for a commission. We momentarily expect to hear that a commission is en route to Atlanta to decide who should be appointed marshal of this district.

On the basis of an appropriation of \$33,000, the architect of the capitol is preparing plans to improve the ventilation of the hall of the house of representatives. It is suggested that more attention should be paid to the ventilation of the house than to the construction of the hall. The foolishness of the Credit-Mobilier days has not been entirely eradicated,

THE CONVENTION MUDDE.

The Barnesville Weekly seems to be very determined in its efforts to prove that THE CONSTITUTION is not in favor of a convention, and in order to make the matter sure, the editor quotes two extracts from our columns—one inviting those of our contemporaries that had opened the discussion upon certain questions to give us their ideas in respect to the repeal of the homestead clause. It will be remembered that we had already deprecated any discussion of this and similar questions, but as our protests had been of no effect, we were desirous to know precisely the grounds of those who argued either in favor of or against a partial repeal of the homestead clause. They were loud in stating that they objected to the homestead provision as it now stands, but the grounds of their objections they have kept and still keep fully concealed. In advising against the agitation which the professed friends of a convention precipitated, we plainly stated and again that we should not hesitate to participate therein should our advice be disregarded. The Weekly thinks we have said more about the convention than any other paper in Georgia. Necessary. We have conceived it to be our duty to notice and comment upon nearly everything that appears in our exchanges. If there is to be a discussion, it should be as full as possible, albeit we believe it is not only utterly uncalled for, but exceedingly dangerous.

Dr. J. D. Hoye, the editor of the Dawson Journal, who is in favor of a convention, can see no inconsistency in the position of THE CONSTITUTION in the trial, and the plaintiff obtained judgment in the alternative for the value of the property, \$6,200, to be discharged by delivering up the property. Patience and her children, in thirty days, and \$3,820 "for hire." From that judgment an appeal was taken to the supreme court, but the writ of error was dismissed, and the judgment of the court below stood affirmed.—30 Ga. 834.

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The case again went to the supreme court and the judgment reversed on the ground that the bill should have been brought in Houston and not in Bibb county. The case was then dismissed and a new bill filed to the May term 1877 of Houston superior court praying for the injunction as before. Judge Killen drafted a demur and an answer to this bill on Wednesday of last week. On the 20th of March the counsel for both parties met in Macon to argue the demur, but a compromise was agreed upon, and the old case, so far as the original parties are concerned, is at an end, having been pending for twenty-six years, and having been to the supreme court five times.

A PRESIDENTIAL QUO WARRANTO.

Washington has had a sensation, but it was only a sensation. The papers in the so-called Tilden-Hayes quo warranto suit were purely imaginary, but it is said that Rutherford was bothered no little by the rumors that filled the air last week. The matter was related with great circumstance. Mr. Hayes was to be legally called upon to show cause why he should not relinquish his office and the writ was to be served as soon as the Florida supreme court had decided the case of quo warranto that is now pending. The disgruntled carpet-baggers welcomed such a suit and "the rest of mankind" were conscious of the justice of the mooted remedy, and all went well until Merrick set his foot on the whole business. He said in reply to questions: "I can only say that subject as long as Mr. Hayes, although fraudulently seated in the presidency, administers his office according to the constitution and the clearly expressed demands of the people, I think no well-meaning citizen would care to disturb him in his tenure. The country wants rest, but it wants justice, too; and if Mr. Hayes does not remove the troops within a reasonable time from both the southern states, and restore them to home rule and prosperity, you may look for some such movement on the part of the democracy."

Mr. Merrick was right. Except in the emergency named the country wants no lawsuit over the highest office of the republic. It wants no more appeals to the supreme court judges in this matter. The next appeal will be made to the court of last resort, the people. The time of trial is named, the lines are formed and no decker scheme can change them, even to the standard bearers in the coming struggle are beginning to look up. The radical party will utilize the flag end of war passions and sectionalism by putting in nomination William Tecumseh Sherman. The conservative forces will rally under one of the men whom they elected in 1876. All talk about the formation of new parties before the election is baseless. All talk of a lawsuit for the presidency is baseless. The campaign of 1880 is begun. Four millions of disfranchised voters will see that justice prevails when the case comes up or they appeal to the people.

Mr. Adams, clerk of the house, will follow the distinguished precedent set by Hayes, and will construe the latter's recognition of Hampton to be sufficient warrant for him to place on the roll of the house the "democratic members elected from South Carolina and count out by the board of canvassers.

John J. Jones, as British ambassador to the United States, has been appointed to the post of secretary of state. His salary is \$12,000, and the latter receives an allowance for rent of \$16,000. The embassador to Vienna gets \$6,000, and the one to Petersburg \$5,000, Sir Henry Elliot has at Constantinople \$6,000; and Sir Edward Thorn-

THE LOUISIANA CASE.

The High Point—the Festive Five—are now on the ground, and the New Orleans Piccione greeted them with a brief that should shorten their labors, for it is the whole case in a nutshell. We give it entire:

1. Mr. Hayes was nominated as a compromiser between the extreme and liberal wings of the national party.

2. At that time Mr. Hayes had publicly engaged to marry Lieut. Hoxie, an engineer, a graduate of West Point, and a very resolute person, who is mentioned by authorities quoted in the small gazette as a "bold young officer."

3. The popular vote was cast largely in favor of Mr. Tilden, and the law creating the electoral commission could not have been passed except by the aid of southern conservatives in congress.

4. It was within the power of the southern representatives to defeat the commission by filibustering the movement initiated by their Northern colleagues.

5. At the crucial moment Mr. Foster, a reporter from Mr. Hayes' own state, made a speech, guaranteeing home rule to the south.

6. Mr. Hayes was declared president.

7. Mr. Hayes wrote to Mr. Foster, informing the commissioners of the promises made in his behalf by his friends, and gave to each of them a copy of his speech.

8. Mr. Hayes' inauguration address to the country.

9. Mr. Hayes' inaugural address to the country.

10. Mr. Stanley Matthews advised them to withdraw their presentations, and promising to make a *quid pro quo* in the event of confirmation.

11. Mr. Hayes' speech to the commissioners.

12. Mr. Hayes' speech to the commissioners.

13. The speech of Mr. Hayes to the commissioners.

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CHAMBERLIN, BOYNTON & CO.

Ask an inspection of the following goods and confidently say there can be

No Cheaper Goods South, as they were

Bought for Cash and from First Hands.

Large Striped Hosiery, Cambric Blouse, Fall and Winter, silk, cotton, and satin, and fifty per cent. lower than ever shown in this market.

Beautiful smooth French Brocade Cambric Silk Designs.

Tasseau Sutings, Velvet Striped Grenadines, Plain Grenadines, Striped Summer Silks, Solid Colored Silks in all the new shades, that

We Guarantee as Low as New York Prices.

Fancy Satins—All new shades for summer wear. Pure Mohair from twenty cents to forty-five cents, in all shades

Large Lot of ALM TURQUOISE BRILLIANT after per cent. lower than elsewhere.

Five hundred yards Embroidery, marked by the piece at HALF PRICE to close out rapidly before we bring large lots imported by us.

Vision Lavers 12x16, 15x18, 15x20, 15x25, and up to 50 cents, that will compare with any goods of the kind in the city.

Beautifull quality White French Organdie from 35c to 50 cents per yard.

Our Carpet Room,

In every Department, is full of New and Desirable Goods, that we propose to sell as low as any in the city.

Even If That Price Be Less Than Cost.

We simply ask an inspection of our stock, and promise to

SAVE MONEY!

to every customer who will make an honest, careful inspection.

BOTH IN DRY GOODS AND CARPETS.

See Atlanta Daily Constitution

Preferred Locals.

SUGAR CREEK PAPER MILLS.

W.M. MCNAULGHT & CO.

See Daily and Weekly Constitution for descriptions of our "new" march 24

W. Jennings & Co.,
WHITE PINE
SASH, DOORS AND BLINDS,
320 Peachtree Street.

Now Styles Domestic!
Paper Fashions just received at 31 Peachtree Street.

FAULTLESS FIT.

UNEQUALLED STYLE.

MEASUREMENT RELIABLE.

Needles for all Sewing Machines at 31 Peachtree Street.

March 24

New Advertisements.

For sale—time—H. W. Cox & Co.,
Novelty—Very fine
yellow suits—M. J. Hirsch.

Large auction—J. H. Law.

The lot of day—Freeman Bros.

Lawyers—Goode & Amerson.

Clothing—T. C. Thompson.

Novelty—W. H. Smyth

Beautiful linings—Jerry Lynch.

Hats & caps wanted—W. A. Dawson.

Tailoring—M. J. Hirsch.

Footwear, etc., for sale—J. H. Keeler.

Trunks—Law.

Assortment of men's wear—Joyce & Ellis.

Groceries—J. H. McElroy.

Clothing—J. H. Law.

The missing diamonds—Freeman Bros.

Spring clothing—Jerry Lynch.

Iron works—W. Van Winkle.

Iron works—W. Van Winkle.

Sebastopol—M. J. Hirsch.

Delightful summer home—X.

Soft and full hats—Jerry Lynch.

Dr. Sage's Catarrh Remedy.

Dr. Bell's Cough Syrup.

Dr. Bell's Liver & Stomach Balsam.

Shirts, drawers, etc.—Jerry Lynch.

Clothing out—W. H. Brotherton.

Handsome clothes—M. J. Hirsch.

Hats & caps—F. M. Freeman Bros.

Assortment—J. H. Law.

350 pieces Excellent Call-
coes 5c yard, at
JOHN KEELY'S.

EMBROIDERIES!

EMBROIDERIES!

I shall open to-morrow

21,000 yards of Embroider-
ries sent to me to be sold

immediately from 2 1/2

cents yard up.

12 April 24

R. O. DOUGLASS

If you desire to make your

selection out of the largest

stock of CLOTHING out of

New York, go to M. & J.

HIRSCH, 3 and 50 White-

hall.

April 24

350 pieces Excellent Call-
coes 5c yard, at

JOHN KEELY'S.

EMBROIDERIES!

I shall open to-morrow

21,000 yards of Embroider-
ries sent to me to be sold

immediately from 2 1/2

cents yard up.

12 April 24

R. O. DOUGLASS.

For a handsome SUIT of

CLOTHES, 1/3 less than

former prices, go to M. &

J. HIRSCH, 3 and 50 White-

hall.

April 24

350 pieces Excellent Call-
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21,000 yards of Embroider-
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cents yard up.

12 April 24

R. O. DOUGLASS.

A large stock of Plainland

Colored Cloths and Doe-

skins of the best European

manufacture, and a fullas-

sortment of Sutings for

business wear, made up in

elegant style and at prices

to suit the times. LYNCH,

the Tailor.

April 24

350 pieces Excellent Call-
coes 5c yard, at

JOHN KEELY'S.

EMBROIDERIES!

I shall open to-morrow

21,000 yards of Embroider-
ries sent to me to be sold

immediately from 2 1/2

cents yard up.

12 April 24

R. O. DOUGLASS.

What sort of a speech did you make at the

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What was told over so "dramatic," as

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